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SUBJECT: JORDAN: CHILD MARRIAGE

REF: STATE 36341

1. Responses to reftel questionnaire on child marriage in Jordan are provided below:

2. The Jordanian government introduced a provisional law in 2001 in the absence of parliament that, among other things, raised the legal marrying age for both men and women to 18 years old. Islamic shari'a court judges, who have authority over decisions in marriage and divorce, have the ability to grant an exception in certain circumstances, but in no case can one marry in Jordan under 15 years of age.

3. This provisional law, formally known as "number 82" but dubbed the "personal status law," is currently under consideration in the Jordanian parliament. In 2004, the Lower House of Parliament rejected the law, although the Upper House/Senate had approved it. It now must be re-considered by a joint session of the Upper and Lower Houses, but no date for this session has been set. However, according to Jordanian law, provisional laws are in full effect and legally enforceable unless both chambers of parliament vote to reject the law.

4. According to Jordanian government statistics, the average age of men who married between 1998 and 2004 was 29 years of age; for women it was 26 years of age. Of the total number of women who married in 2004 (33,365), 15.4 percent of them (5,150) were younger than 18 years of age. In 1998, 20 percent (7585) of the total number of women who married (37,681) were younger than 18. Contrary to the common perception, child marriage does not appear to be more prevalent in rural areas than urban areas of Jordan.

5. Organizations advocating women's and children's rights have included the issue of early marriage among their priorities and credit the decline in child marriages to the above-mentioned legislation. NGOs worked with the GOJ to draft, introduce, and lobby parliament on the legislation, and remain committed to seeing the legislation approved by both chambers. Jordan is already party to most of the international agreements regarding women's and children's rights, such as the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and advocated the personal status law to complement its international obligations. Post contacts acknowledge that the biggest challenge is changing the cultural tradition that accepts marriage at a young age. Their priority is to increase public awareness about the detrimental effects of child marriage. They are working with the Ministries of Awqaf and Religious Affairs, Health, and Education, among others, towards this goal.

6. There are currently no U.S.-funded initiatives in Jordan that specifically aim to reduce the incidence or address the negative effects of child marriage.

7. Minimize considered.

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HENZEL